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FOR IMMEDIATE RELEASE:
March 8, 2017

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**Baker-Polito Administration Files Legislation Seeking Federal Delegation of
Water Protection Efforts**

*Proposal Ensures State Oversight of National Pollutant Discharge Elimination Systems
Program*

BOSTON – Continuing its commitment to protect the waters of the Commonwealth, the Baker-Polito Administration today filed [*An Act to Enable the Commonwealth's Administration of the Massachusetts Pollutant Discharge Elimination System*](#). The legislation will allow the Massachusetts Department of Environmental Protection (MassDEP) to join forty-six other states in administering the U.S. Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) for federal water quality protection. Additionally, the proposal will allow the Commonwealth greater oversight of water quality monitoring, assessment, and water quality standards programs as well as increased data availability to ensure development of scientifically based permits that protect Massachusetts' waterbodies. Governor Baker's Fiscal Year 2018 budget proposal includes a \$1.4 million commitment as an initial investment in NPDES to support program development and build robust water quality monitoring and analysis programs.

"Massachusetts has a proud history of working to protect and improve water quality, and this legislation will provide greater certainty for the Commonwealth once federal authority for this program is placed into the hands of our state experts," **said Governor Charlie Baker**. "By joining 46 other states with the federal delegation, the

Commonwealth will be able to implement a strong, science-based program focused on protecting our natural resources. With its comprehensive knowledge of the Commonwealth's waterbodies and communities, MassDEP is uniquely suited to write permits that will protect our state's waters."

"The Commonwealth has a proven-track record of implementing federally delegated programs, and this legislation will align water quality efforts with priority programs," **said Lieutenant Governor Karyn Polito**. "National Pollutant Discharge Elimination System delegation will empower state government to work even more cooperatively with our cities and towns to preserve and protect our environmental resources."

Under the federal Clean Water Act, EPA administers numerous water quality programs across the United States, including efforts like NPDES, which regulates public and private discharges of wastewater and stormwater. As states have the option of applying to the EPA for authorization to administer the program at the state level, subject to federal oversight, the legislation filed by the Baker-Polito Administration will make changes to the Commonwealth's Clean Waters Act, which is needed for MassDEP to make an application to the EPA.

"The administration of the National Pollutant Discharge Elimination System by the Commonwealth will significantly enhance the management of our water resources," **said Energy and Environmental Affairs Secretary Matthew Beaton**. "State control over the permitting process will result in permits being written and issued in a timely way to keep pace with changing environmental conditions and ensure that local resources are directed to areas that will result in the greatest environmental improvement."

Massachusetts, through MassDEP, has a decades-long history of effectively and successfully administering other federal environmental programs in areas of drinking water, hazardous waste, and clean air, as well as other state water programs such as Title 5, wetlands, and water management. In seeking authorization from EPA to administer the NPDES program, MassDEP will continue to promote the use of science-based water monitoring information during permitting decisions and will provide ongoing effective technical assistance to permittees, while ensuring compliance with permit requirements.

MassDEP will also embrace the concept of integrated planning and will work closely with local partners to establish a program that takes a holistic view of clean water requirements and implementation schedules.

"Adding the NPDES program to MassDEP's portfolio will promote an integrated process in which a single agency can work with communities that have requirements in wastewater, stormwater and other water resource programs," **said MassDEP**

Commissioner Martin Suuberg. “Using sound science, current water quality information, and our close working relationship with cities and towns, the Commonwealth will be able to protect our water quality, while minimizing the number of permit appeals and legal challenges.”

The proposed \$1.4 million in seed funding will enable MassDEP to hire 12 new staffers to phase-in NPDES program development, and conduct associated technical assistance and water quality analysis. This appropriation will increase in Fiscal Year 2019, as the program is fully implemented.

“I’m glad to see the administration taking this step,” **said State Representative Jeffrey Roy (D-Franklin).** “This proposal is an important first step in giving MassDEP the authority to work with cities and towns who are important partners in stormwater permitting and management efforts.

“As a State Senator representing many coastal communities, I am pleased with the Baker-Polito Administration’s efforts to protect and restore our water resources,” **said State Senator Michael Rodrigues (D-Westport).** “The Administration and MassDEP have done a great job in leading the effort to create partnerships with local cities and towns to ensure our water supplies are clean and preserved.”

“Maintaining and enforcing strong water quality standards is critical to protecting the Commonwealth’s natural resources for both current and future generations,” **said House Minority Leader Bradley H. Jones, Jr. (R-North Reading).** “By giving MassDEP greater control over the issuance of permits and encouraging continued cooperation between state and local officials on wastewater management issues, the proposal filed today by the Baker-Polito Administration will deliver enhanced environmental protections for all of our cities and towns.”

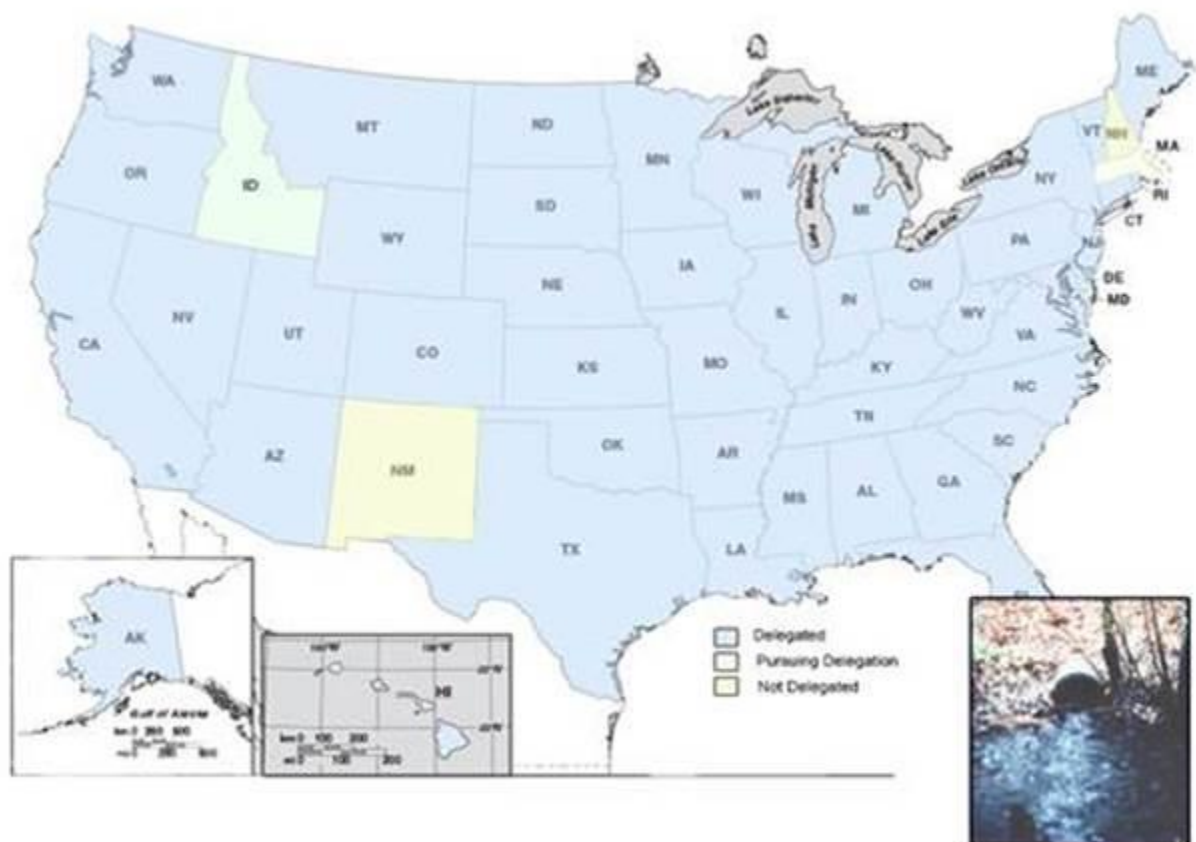
“Protecting water quality is an important task that requires the type of focused effort that the DEP can provide, with the agency’s local knowledge and working relationship with cities and towns,” **said Senate Minority Leader Bruce E. Tarr (R-Gloucester).**

“Worcester is a leader in affordable and quality waste water treatment,” **said Worcester City Manager Edward M. Augustus, Jr.** “The Governor’s legislation will help to streamline processes and management and allow us to continue providing first class service. The legislation has the support of the city’s Director of Water, Sewer and Environmental Systems and his expertise coupled with that of Secretary Beaton underscores the value of adopting a policy already in use by 46 states.”

“The Connecticut River Watershed Council supports creating a top-notch water quality program that administers the federal Clean Water Act at MassDEP,” **said Connecticut**

River Watershed Council Executive Director Andrew Fisk. “The Governor’s budget proposal is a strong first step to begin creating such a program. We stand ready to work with the Administration and the Legislature to enact legislation that will create a program based on strong and achievable standards, timely and fair permitting, robust enforcement, and widely available technical assistance.”

An Act to Enable the Commonwealth’s Administration of the Massachusetts Pollutant Discharge Elimination System, if passed, will be part of a submission made by MassDEP to EPA’s New England Regional Office in Boston. As part of its application, MassDEP will be required to demonstrate that it has developed an effective plan for managing the NPDES program, that its legal authorities are sufficient to meet federal requirements and that a plan for funding is in place. While the formal submission cannot be made until the Baker-Polito Administration’s proposal receives legislative approval, MassDEP is continuing to consult with EPA on delegation requirements and will develop other elements of the plan for submittal.



States with National Pollutant Discharge Elimination System Delegation

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